SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2011-091399   10/20/2011

                                                CLERK OF THE COURT
JUDGE PRO TEM SHELLIE SMITH   K. Depue
                                                      Deputy

IN RE THE MARRIAGE OF
TIMOTHY D NESS JR.   TIMOTHY D NESS JR.
                                            16201 S COUNTRY PL
                                            CHANDLER AZ 85225

AND

JANELLE P NESS   JANELLE P NESS
                                            1158 E PARK AVE
                                            CHANDLER AZ 85225

                                            FAMILY COURT SERVICES-CCC

                            RULING

        Courtroom 302 – SE

        1:37 p.m. This is the time set for Trial on Father's *Petition for Dissolution of Marriage*
filed March 21, 2011. Petitioner/Father is present on his own behalf. Respondent/Mother is
present on her own behalf.

        A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

        Discussion is held.

        The Court shall take a short recess to allow the parties to confer in an effort to reach some
agreements today.

        1:41 p.m. The Court stands at recess.

        1:55 p.m. The Court reconvenes with the parties and respective counsel present.

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A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

The Court is advised that agreements have been reached except for the issues of child support, income tax deduction and whether Father carries the life insurance on the children.

Timothy Ness and Janelle Ness are sworn.

Janelle Ness testifies.

Timothy Ness testifies.

LET THE RECORD REFLECT that the Court calculates child support based upon the information provided by the parties, and the Child Support Guidelines.

Discussion is held regarding the parenting plan.

LET THE RECORD REFLECT the parties initialed and signed the parenting plan in open court this date.

IT IS ORDERED adopting the **Parenting Plan for Sole Custody** as an Order of the Court.

IT IS FUTHER ORDERED approving and settling the formal written **Parenting Plan for Sole Custody** filed (entered) by the clerk on October 20, 2011.

LET THE RECORD REFLECT the parties initialed and signed the Amended Consent Decree in open court this date.

IT IS ORDERED adopting the Amended Consent Decree as an Order of the Court.

IT IS FURTHER ORDERED approving and settling the formal written **Amended Consent Decree of Dissolution of Marriage** signed by the Court October 20, 2011 and filed (entered) by the clerk on October 20, 2011.

IT IS FURTHER ORDERED taking this matter under advisement.

2:32 p.m. Matter concludes.

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LATER:

The Court has considered the testimony and evidence as the remaining issues and enters the following orders.

CHILD SUPPORT

THE COURT FINDS that the relevant financial factors and the discretionary allowances and adjustments which the Court will allow for a current calculation of child support pursuant to the Arizona Child Support Guidelines are set forth in the Child Support Worksheet, which the Court hereby incorporates and adopts as its findings with respect to child support.

IT IS THEREFORE ORDERED that **Father shall pay to Mother** as and for child support the sum of **$822.00 per month,** payable through the Support Payment Clearinghouse on the 1st day of each month **commencing November 1, 2011**.

LET THE RECORD REFLECT that an Order of Assignment is initiated electronically by the above-named deputy clerk.

Until the wage assignment becomes effective, it is the responsibility of the party obligated to pay child support to pay the support to **Support Payment Clearinghouse, P. O. Box 52107, Phoenix, Arizona 85072-2107.** The payment should show the case number and/or ATLAS case number and the name of the party paying support and the name of the party who will receive the payment.

If payments are made directly to the person who is to receive the support, the payments may be considered a gift and no credit will be given towards the support obligation.

Any change in the paying party's employment and any change in the residential address of either party **must** be submitted to the Clerk's Office, in writing, within ten (10) days of the change (A.R.S. 25-322(C)). Failure to notify the Clerk's Office of any change may be considered contempt of Court.

Tax Deduction For *Dependents*

IT IS ORDERED that the parties may claim the eligible dependents as follows: Mother shall claim the oldest child every year; Father shall claim the youngest child every year

IT IS FURTHER ORDERED that if Father is not current in the total Court-ordered child support obligation for the current calendar year and/or any Court-ordered arrearage payment due

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during the calendar year for which the exemption is to be claimed but nevertheless claims the child for tax purposes, Father shall pay directly to the Support Payment Clearinghouse 100 percent of any and all tax refunds that Father receives, which shall be applied first towards Father's current child support obligation, and then towards any arrearage.

Exchange Of Income Information

IT IS ORDERED that the parties shall exchange income information every 24 months. Said financial information shall include, but not be limited to: personal tax returns with all schedules, affidavits of financial information, earning statements and other such documentation necessary to establish or prove the income of either party. In addition, at the time of the exchange of financial information, the parties shall also exchange residential addresses and the names and addresses of their respective employers.

MISC. ORDERS

Mother requests that Father obtain a life insurance policy in the amount of $100,000.00 for the benefit of the minor children until they attain the age of eighteen years. Father objects to this request.

IT IS ORDERED denying Mother's request for the life insurance policy.

IT IS FURTHER ORDERED signing this minute entry as a formal order of this Court pursuant to Rule 81, Arizona Rules of Family Law Procedure.

10/24/2011   /S/ JUDGE PRO TEM SHELLIE SMITH

_____   _____
       Date   Judge Pro Tem Shellie Smith
                                     Judicial Officer of the Superior Court

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter.